

<u>No:</u>	BH2020/00961	<u>Ward:</u>	Regency Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Nile House Nile Street Brighton BN1 1HW		
<u>Proposal:</u>	Formation of additional level to create office space (B1) incorporating replacement roof plant, reinstatement of chimney, balustrade terrace to West elevation, installation of solar panels and associated works.		
<u>Officer:</u>	Joanne Doyle, tel: 292198	<u>Valid Date:</u>	31.03.2020
<u>Con Area:</u>	Old Town	<u>Expiry Date:</u>	26.05.2020
<u>Listed Building Grade:</u>	Grade II	<u>EOT:</u>	
<u>Agent:</u>	Morgan Carn Partnership Brighton BN1 6FA United Kingdom	Blakers House	79 Stanford Avenue
<u>Applicant:</u>	Ethos Property 8A Ship Street Brighton BN1 1AD		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to be **MINDED TO GRANT** planning permission subject to satisfactory amended plans, a s106 agreement on the Heads of Terms set out below and the following Conditions and Informatives as set out hereunder, **SAVE THAT** should the s106 Planning Obligation not be completed on or before the **30th September 2020** the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section **9.1** of this report:

Head of Terms:

- 1.2. In view of the considerations outlined above, a legal agreement with the following heads of terms will be sought.

Sustainable Transport

- 1.3. Contribution of £5,400 towards sustainable transport in the immediate vicinity of the site. This will be allocated towards pedestrian route improvements on routes serving the development site including, but not limited to, Prince Albert Street and Ship Street.

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.
Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Proposed Drawing	1855-P-021	B	31 March 2020
Proposed Drawing	1855-P-022	B	31 March 2020
Proposed Drawing	1855-P-023B	B	31 March 2020

Proposed Drawing	1855-P-024B	B	31 March 2020
Proposed Drawing	1855-P-025	B	31 March 2020
Proposed Drawing	1855-P-026	B	31 March 2020
Proposed Drawing	1855-P-027	B	31 March 2020
Proposed Drawing	1855-P-028	B	31 March 2020
Location Plan	1855-P-001	A	31 March 2020
Proposed Drawing	1855-P-019	A	31 March 2020
Proposed Drawing	1855-P-018	A	31 March 2020
Proposed Drawing	1855-P-020	B	31 March 2020
Block Plan	1855-P-003	B	31 March 2020
Report/Statement	Daylight and Sunlight Assessment	-	19 March 2020
Proposed Drawing	1855-P-017	A	31 March 2020
Report/Statement	BREEAM Report 2018	-	31 March 2020
Report/Statement	Noise Impact Assessment	-	19 September 2019

2 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

3 The development hereby permitted shall not be commenced until samples of the following materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority:

- a) samples of roofing and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all cladding to be used, including details of their treatment to protect against weathering
- c) samples of the chimney
- d) samples of all hard surfacing materials
- e) details of windows and doors

Development shall be carried out in strict accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1, HE3 and HE6 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

4 The works hereby permitted shall not take place until full details of the proposed chimney stack including 1:20 scale elevations have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

- 5 Within 3 months of first occupation of the non-residential development hereby permitted a BREEAM Building Research Establishment has issued a Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM New Construction rating of 'Very Good' and such certificate has been submitted to, and approved in writing by, the Local Planning Authority.
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One.
- 6 Prior to first occupation of the development hereby permitted, details of secure cycle parking and shower facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.
Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.
- 7 In accordance with the noise limits detailed in the acoustic report, noise associated with plant and machinery incorporated within the development shall be designed to ensure that the Rating Level measured or calculated at 1-metre from the façade of the nearest future noise sensitive premises, shall not exceed a level of 5dB(A) below the existing representative L90 background noise level. Reference should be made to the 'Specific Noise Level Calculations' and Tables 6.1 and 6.2 found on page 13 of the Acoustic Report (Plant Noise Assessment) produced by 7th Wave Acoustics, dated 19th September 2019 and referenced 1141.001R.1.0.RF.
Reason: To protect the amenities of future residents and of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 8 The planting screening to the roof terrace hereby approved shall remain in perpetuity and shall only be replaced with other plant screening of similar size, unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure the satisfactory preservation of this listed building and to protect the amenities of future residents and of neighbouring properties and to comply with policies HE1, HE3, HE6, SU10 and QD27 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.
- 9 The premises hereby permitted shall only be used as a use within Use Class B1 in accordance with the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), no change of use shall occur without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

- 10 The roof terrace shall only be in use between the hours of 9am - 6pm Monday - Friday and not at any time on weekends, Public & Bank Holidays.
Reason: To protect neighbouring amenity and to comply with policy QD27 of the Brighton and Hove Local Plan.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
- 2 The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites (www.breeam.org).
- 3 The applicant is advised that in order to provide policy compliant cycle parking, the Highway Authority's preference is for the use of Sheffield Stands spaced in line with the guidance contained within the Department for Transport's Manual for Streets section 8.2.22.

2. SITE LOCATION AND APPLICATION DESCRIPTION

- 2.1. The application site lies within the Old Town Conservation Area and incorporates number 16 Prince Albert Street which is a grade II listed building. Nile House is a large four storey over basement mixed use building in the heart of the Lanes in central Brighton. The building occupies the length of Nile Street, presenting elevations to Prince Albert Street and Market Street. The majority of the building is a post-modern design built in 1989. The late 1980's Nile House development integrated no. 16 Prince Albert Street into its floorplate. 16 Prince Albert Street is the elegant curved, red-brick corner building, which is Grade II listed.
- 2.2. Nile House is an important commercial building in central Brighton, providing approximately 2,300 sq metres of commercial floor space. At ground floor there is a collection of shops and cafes along Nile Street and onto Market Street and Prince Albert Street. The upper three floors provide (B1) office space. There is an underground car park and store rooms at basement level.
- 2.3. The site is located within the regional shopping centre (SR4), outside the prime retail frontage (SR4, SR5 and CP4), the hotel core zone (CP6) and Central Brighton (SA2).

- 2.4. Planning permission is sought for the formation of an additional level to create office space (B1) incorporating replacement roof plant, reinstatement of chimney, balustrade terrace to West elevation, installation of solar panels and associated works.
- 2.5. This application follows the previously refused applications BH2019/02864 and BH2019/02865 and has sought to address the reason for refusal by amending the design of the roof extension which has resulted in a reduced floor space and terrace area.

3. RELEVANT HISTORY

- 3.1. **BH2020/00962** Formation of additional level to create office space (B1) incorporating replacement roof plant, reinstatement of chimney, balustrade terrace to West elevation, installation of solar panels and associated works. Under consideration.
- 3.2. **BH2019/02864** Planning permission for formation of additional level to create office space (B1) incorporating replacement roof plant, reinstatement of chimney, balustrade terrace to West elevation, installation of solar panels and associated works. Refused on 09/03/2020. The reason for the refusal was as follows:
 - 3.3. The proposed additional storey, by reason of its awkward relationship with the existing traditional roofline of no. 16 Prince Albert Street and the resulting intrusion of the contemporary development above the traditional and historic roof forms of the surrounding properties when viewed from Black Lion Street and Prince Albert Street, would neither preserve nor enhance the character and appearance of the Conservation Area and would harm the appearance and setting of the listed building of no. 16 Prince Albert Street and the setting of Listed Buildings at nos. 15, 15B and 17-18 Prince Albert Street. The proposal therefore fails to comply with policy CP12 and CP15 of the Brighton & Hove City Plan and policies HE1 and HE6 of the Brighton & Hove Local Plan and would result in negative visual impacts sufficient to outweigh any identified public benefits of the scheme.
- 3.4. **BH2019/02865** Formation of additional level to create office space (B1) incorporating replacement roof plant, reinstatement of chimney, balustrade terrace to West elevation, installation of solar panels and associated works. Refused on 09/03/2020. The reason for the refusal was as follows:
 1. The proposed additional storey, by reason of its awkward relationship with the existing traditional roofline of no. 16 Prince Albert Street and the resulting intrusion of the contemporary development above the traditional and historic roof forms of the surrounding properties when viewed from Black Lion Street and Prince Albert Street, would neither preserve nor enhance the character and appearance of the Conservation Area and would harm the appearance and setting of the listed building of no. 16 Prince Albert Street and the setting of Listed Buildings at nos. 15, 15B and 17-18 Prince Albert Street. The

proposal therefore fails to comply with policy CP15 of the Brighton & Hove City Plan and policies HE1 and HE6 of the Brighton & Hove Local Plan and would result in negative visual impacts sufficient to outweigh any identified public benefits of the scheme.

- 3.5. **PRE2018/00326** Pre-application for a proposal seeking the erection of roof extension replacing existing roof plant to provide additional commercial space (200sq.m approx) with associated alterations and extensions to circulation cores to connect to new roof level accommodation.
- 3.6. The following response summary was given:
- The proposed additional office floorspace (B1) is supported.
 - Concerns have been raised with regards to the roof extension and roof terrace in design terms and amendments to the scheme are required (see details below in the report).
 - The proposed terrace area should be reduced in size and set back with potential screening to avoid harmful overlooking.
- 3.7. **BH1997/01495/FP** Installation of 1 metre diameter satellite antenna on a flat roof mount. Approved on 27.11.1997.

4. REPRESENTATIONS

- 4.1. **Five (5)** letters of representation have been received objecting to the proposal for the following reasons:
- The works planned along with the current economic crisis could have a devastating effect on the remaining shops in the street.
 - Access to perform these works could involve significant scaffolding and street closures.
 - The application is not in the spirit of creating certainty for the businesses on Nile Street.
 - Lack of pedestrians, road closures, traffic diversions, not to mention dust and debris. There are already countless vacant properties in the area and construction such as this will only sadly push many more over the edge.
 - Businesses severely disrupted by new buildings and construction in the area.
 - Building works results in disruption to the businesses.
 - Major construction work over a long period of time. This will have a huge adverse effect on trade in Nile Street which has already declined due to the economic situation and, more so, currently with Covid-19.

5. CONSULTATIONS

- 5.1. **Heritage Approve**
It is considered that overall this proposal would preserve the appearance and character of the Old Town conservation area, would preserve the listed

building at 16 Prince Albert Street and would preserve the settings of the listed buildings at 15, 15B and 17-18 Prince Albert Street.

- 5.2. **CAG 05/05/2020:** Approve
The current proposal features a pronounced hip at the west end of the roof structure; this should be met with the equal design at the east end.
- 5.3. **Sustainable Transport:** No objection
Approve subject to 106 contribution and recommended condition.
- 5.4. **Economic Development:** No objection
City Regeneration supports this application and welcomes the additional 309m² of additional B1 office space it brings to the city.
- 5.5. In this instance, there is no requirement for developer contributions to be made towards the construction-related Local Employment Scheme as the additional office space falls below the threshold of 500 sqm.
- 5.6. **Environmental Health:** Approve subject to condition- comment under previous application BH2019/02864 (24.10.2019)
The assessment has made detailed reference to applicable standards and guidelines (Acoustic Report (Plant Noise Assessment) produced by 7th Wave Acoustics, dated 19th September 2019 and referenced 1141.001R.1.0.RF).
- 5.7. Background noise levels at representative locations have been measured to establish maximum sound pressure levels for external plant to be installed. The methodology used and calculations made in the assessment are recognised techniques in predicting noise levels and the impact of them.
- 5.8. The findings and recommendations found within the assessment can be secured by attaching recommended roof plant noise requirement condition.

6. MATERIAL CONSIDERATIONS

- 6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 6.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016);
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Harbour Joint Area Action Plan (JAAP) 2019.

- 6.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part Two

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications but any greater weight to be given to individual policies will need to await the outcome of the Regulation 19 consultation. The council will consider the best time to carry out the consultation after the coronavirus (Covid-19) restrictions are lifted.

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP2	Sustainable Economic Development
CP7	Infrastructure and Developer Contributions
CP8	Sustainable Buildings
CP9	Sustainable Transport
CP12	Urban design
CP15	Heritage

Brighton & Hove Local Plan (retained policies March 2016):

TR14	Cycle and Access Parking
QD5	Design
QD27	Protection of amenity
SR4	Regional shopping centres
SR5	Town and district shopping centres
HE1	Listed buildings
HE3	Development affecting the setting of a listed building
HE4	Reinstatement of original features on listed buildings
HE6	Development within or affecting the setting of a conservation area.

Supplementary Planning Document:

SPD09	Architectural Features
SPD12	Design Guide for Extensions and Alterations

8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations in the determination of this application relate to the principle of development, design and appearance, heritage impact on the grade II listed building and the Old Town conservation area, impact on amenity, highways and sustainability issues.

Principle of Development:

- 8.2. The site is located within Central Brighton (SA2), which is the city's prime office location for B1a offices. Policy CP3 of the Brighton and Hove City Plan Part One states how the Council will support proposals for the upgrade and refurbishment of existing office accommodation so that they meet modern standards required by business; are more resource efficient and improve the environment and townscape of the site or premises.
- 8.3. The proposal is also in accordance with Policy CP2 of the Brighton & Hove City Plan which states that the Council will positively and proactively encourage sustainable economic growth, by supporting business growth and the diversification of the city's economy.
- 8.4. The amount of development has been derived as a response to the surrounding roofscape and character of the area. The proposal measures a net internal area of 304sqm which is made up of 288sqm in the new roof extension and 16sqm through alterations to the second floor mansard area. The amount is considered to be acceptable in this location.
- 8.5. The increase in commercial floorspace will naturally lead to an uplift in job opportunities generated by the Nile House site. OFFPAT Employment Density Guide suggests between 10m² and 13m² of floorspace is required per employee within a (B1) unit. It is therefore reasonable to suppose the development of 304m² of internal (B1) space would provide for 25 new jobs within central Brighton.
- 8.6. In light of the above, the Council do not object to the principle of development subject to the compliance with other local and national policies.

Design, Appearance and Heritage Impact:

- 8.7. In considering whether to grant planning permission which affects a Conservation Area and/or a listed building or their setting the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Case law has held that the desirability of preserving a listed building or its setting or the character or appearance of a conservation area must be given "considerable importance and weight".
- 8.8. Policy CP15 of the Brighton & Hove City Plan Part One states how the Council will ensure that the city's built heritage guides local distinctiveness for new development in historic areas and heritage settings. Policy HE1 of the Local Plan explains how proposals involving the alteration or extensions of a listed building will only be permitted where the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting. Policy HE6 of the Local Plan requires proposals within or affecting the setting of a conservation area to preserve or enhance the character or appearance of the area.
- 8.9. Policy CP12 of the Brighton and Hove City Plan Part One expects all new development to raise the standard of architecture and design in the city,

establish a strong sense of place by respecting the character of existing neighbourhoods and achieve excellence in sustainable building design and construction.

- 8.10. This application follows on from the refusal of applications BH2019/02864 and BH2020/02865 and subsequent informal advice.
- 8.11. The contextual analysis of the site and the heritage assessment are considered to be helpful and the design approach has responded carefully to this analysis and has clearly sought to minimise the visual impact of the proposed roof extension on the surrounding townscape of the Old Town conservation area. The key viewpoints appear to have been correctly identified. The views from Black Lion Street and Prince Albert Street are considered to be very sensitive. The varied but generally traditional roofscape is very important in these views and comprises the roofs of several listed buildings around the junction of Black Lion Street, Prince Albert Street and Nile Street. Parapets are a strong feature. Whilst the roofscape is varied, these are all traditional roof forms and materials, with parapets, ridges and details silhouetted against the sky. This includes the roof to the listed building at 16 Prince Albert Street, which has been incorporated into Nile House and forms part of the application site. This roof itself is not original but generally mimics the appearance of the original roof.
- 8.12. There is no objection in principle to a roof extension on this Post-Modern style building to provide further office space and the overall design approach is considered to be complementary to the distinctive style of the host building echoing its existing broken gable on the main frontage and leaving its eastern dome unaffected. This application has set the footprint of the extension back further at the sensitive western end of the roof and has removed the previous deeply overhanging canopy leaving an appropriately simpler roof form at this end. The roof terrace area has been significantly reduced in size and kept away from the western edge. In addition, the roof to the listed building on the corner would no longer be extended upwards at an angle to create a tall parapet. The cumulative effect of these changes from the refused scheme mean that the roof extension would no longer be visible at all in longer views looking north up Black Lion Street, whilst in shorter views its visibility would be much reduced and, crucially, it would not visually extend over the traditional roof of the listed building on the corner. In views from Prince Albert Street the roof extension would barely be visible and would not be an intrusive or incongruous feature in the traditional roofscape. Importantly again it would not visually extend over the roof of the listed building at number 16, being confined to the left hand side of the reinstated chimney stack, which would form an appropriate vertical break. This reinstated architectural feature would enhance the traditional roofscape and be a heritage benefit. The proposal would not have any significant impact in views from Brighton Place and the view south from Brighton Square is not considered to be a sensitive one.
- 8.13. It will be important that, where visible, the new roof has a lightweight, recessive appearance and so the roof cladding material will need to be carefully considered. The drawings propose "medium grey roof tiles" and in principle this

is acceptable however a sample condition has been attached requiring details of all materials including the cladding and roof tiles.

- 8.14. Subject to the recommended conditions, it is considered that overall this proposal would preserve the appearance and character of the Old Town conservation area, would preserve the listed building at 16 Prince Albert Street and would preserve the settings of the listed buildings at 15, 15B and 17-18 Prince Albert Street in accordance with policies HE3 and HE6 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

Impact on Amenity:

- 8.15. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

Roof Terrace:

- 8.16. The roof terrace to the western end has been sited and designed to minimise any potential overlooking. The roof terrace has been set back by 8.8 metres from the western building line and 9.6 metres from the southern building line. In response to pre-application advice a planting screen has sited along the western side of the terrace to enclose this area to move users away from the edge of the roof. As such it would predominantly be wider views of the roofscape available from here. A condition is recommended restricting the hours of use of the roof terrace.

Impacts on Daylight and Sunlight on Neighbouring Properties:

- 8.17. The area around Nile House is predominantly non-residential in character but a few nearby residential properties were identified via Valuation Office Agency records. Of these, the neighbouring properties most likely to be affected by the proposed changes are:
1. 49 Meeting House Lane
 2. 2 Nile Street
 3. 17 Prince Albert Street
 4. 6 Brighton Place

- 8.18. These have been analysed for loss of daylight, and loss of sunlight where relevant and the applicant has submitted and Daylight and Sunlight Assessment.

- 8.19. Although 50 Meeting House Lane is also listed as containing residential accommodation, it would be less affected than 49 due to the presence of other buildings between its windows and Nile House. Residential properties at 18-19, 20 and 23 Market Street would also have little to no view of it due to the presence of other buildings and/or the domed section of Nile House between them and the proposed additional floor.

- 8.20. The windows analysed at these four locations would lose a very small amount of vertical sky component and would be well within the BRE guidelines for loss

of daylight in all cases. Windows at 49 Meeting House Lane were also analysed for loss of sunlight as they face within 90° of due south. The losses would be small and also well within the BRE guidelines in all cases.

- 8.21. Overall, loss of light as a result of the proposed additional floor would be small and within the guidelines in the BRE Report. The formation of an additional level will have an acceptable level of reduction in light levels to neighbouring properties and the proposal is compliant with Policy QD27 of the Local Plan.

Sustainable Transport:

- 8.22. The existing car parking is located in the basement and it is noted that the planning application does not state that there will be any additional parking proposed. In accordance with SPD14, a site containing B1 floorspace that is located in the central area is not permitted to provide any car parking except disabled parking spaces and therefore there are no objections in this instance.
- 8.23. In terms of cycle parking, in the application form, it is planned to provide 5 cycle parking spaces with the Design and Access Statement stating that new changing and shower facilities will also be provided. SPD14 guidance requires 1 space plus 1 space per 100m² for a B1 Office. The additional office space proposed is 304m². This therefore means that 4 cycle parking spaces should be provided. The detailed designs of these cycle parking spaces and the changing and shower facilities are also not shown on the plans.
- 8.24. A condition has therefore been attached requiring further plans that show the location and detailed plans of the cycle parking and changing and shower facilities. Cycle parking and related facilities should be provided in accordance with the quantity and quality standards in retained Local Plan policy TR14 and SPD14. It is required that a minimum of 25% of cycle parking provision be provided through Sheffield stands.
- 8.25. When considering the need for sustainable transport contribution, the Highway Authority considers the number of person trips together with the need for any off-site developments to serve the proposed development. The Highway Authority recommends that a contribution of £5,400 be sought if overall the proposal is acceptable. In this case the contribution would be allocated towards pedestrian footway and crossing improvements on routes serving the development site including, but not limited to Prince Albert Street and Ship Street This is to provide for the increase in person trips expected to the site and improve access between the development and neighbouring facilities. This is in accordance with Brighton & Hove City Plan Part One policies CP7 and CP9. This sum will be secured by a Section 106 agreement.

Sustainability:

- 8.26. Policy CP8 of the Brighton & Hove City Plan Part One requires new development to demonstrate a high level of efficiency in the use of water and energy. As set out by Policy CP8 all non-residential schemes that are non-major in size will have to provide a BREEAM rating of Very Good. The applicant has prepared and submitted a SRE BREEAM NC 2018 Pre Assessment which shows how the scheme will achieve a BREEAM rating of

Very Good. A condition has been attached to provide a Post Construction Review Certificate.

- 8.27. The proposed development will deliver passive and active energy demand reduction measures along with low and zero carbon technologies in order to reduce energy demand and associated CO2 emissions. The proposal will also implement an all-electric heating strategy which will provide space heating through ASHP technology and hot water through instantaneous hot water heaters to all areas of the extension and existing floors below.

9. SECTION 106 HEADS OF TERMS:

- 9.1. In the event that the S106 agreement has not been signed by all parties, the application shall be refused for the following reason:
1. The proposed development fails to provide a financial contribution towards sustainable transport measures contrary to policies CP7 and CP9 of the Brighton & Hove City Plan Part One and the City Council's Developer Contributions Technical Guidance.

- 10. EQUALITIES:**
None identified.

